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[Additional counsel appear on signature page.]

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – OAKLAND DIVISION

CRISTIAN KELLY and KENNETH THALL,
 individually and on behalf of all others
 similarly situated,

Plaintiffs,

v.

COINBASE GLOBAL, INC.; COINBASE,
 INC.,

Defendants.

Case No. 4:21-cv-06010-JST

**STIPULATION TO STAY THE CASE
 PENDING ARBITRATION AND TO
 REFER THE ISSUE OF ARBITRABILITY
 TO ARBITRATION**

CLASS ACTION

District Judge Jon S. Tigar
 Courtroom 6, 2nd Floor

Complaint Filed: August 3, 2021
 Trial Date: Not Set Yet

JURY TRIAL DEMANDED

This stipulation is hereby entered into between Plaintiff Thomas Ayoob in the above-entitled action and Defendants Coinbase Global, Inc. and Coinbase, Inc. (collectively, "Defendants," and together with Plaintiff, the "Parties"), by and through their respective attorneys of record:

WHEREAS, on August 3, 2021, the original Complaint in this action was filed (Dkt. No. 1);

WHEREAS, on September 24, 2021, pursuant to Fed. R. Civ. Proc. 15(a), Plaintiffs filed the First Amended Complaint (Dkt. No. 18);

WHEREAS, on September 24, 2021, pursuant to Fed. R. Civ. Proc. 41(a)(A)(i), Plaintiffs Cristian Kelly and Kenneth Thall were voluntarily dismissed without prejudice (Dkt. No. 19);

WHEREAS, the Parties' counsel have held discussions regarding the presence of an arbitration agreement in Defendants' User Agreement;

WHEREAS, Defendants contend all pending claims must be arbitrated on an individual basis and the class claims should be stricken pursuant to the User Agreement;

WHEREAS, Plaintiff contests the validity and enforceability of said arbitration agreement, but has agreed to voluntarily stay the current action and submit the issue of arbitrability to arbitration;

WHEREAS, the Parties each reserve any other rights they may have in the pending civil action, including the right to challenge the First Amended Complaint or any amendments thereto via motion to dismiss or otherwise.

NOW, THEREFORE, pursuant to Civil Local Rule 7-12, the Parties hereby stipulate and agree, through their respective counsel, subject to the Court's approval, to: (i) refer the issue of arbitrability of Plaintiff's claims to arbitration; and (ii) stay the proceedings in this action pending an arbitrator's decision on the issue of arbitrability and, potentially, arbitration of this dispute.

IT IS SO STIPULATED.

Respectfully submitted,

Dated: September 28, 2021

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By: *s/ Timothy G. Blood*

TIMOTHY G. BLOOD

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Attorneys for Plaintiffs

Dated: September 28, 2021

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 and Coinbase, Inc.*

ATTESTATION OF CONCURRENCE IN FILING

In accordance with Northern District of California Local Rule 5.1(i)(3), I, Timothy G. Blood, attest that concurrence in the filing of this document has been obtained from each of the other signatories who are listed on the signature pages.

September 28, 2021

By: s/ Timothy G. Blood

TIMOTHY G. BLOOD

ORDER

PURSUANT TO THE STIPULATION, IT IS SO ORDERED

Dated:

HONORABLE JON S. TIGAR
UNITED STATES DISTRICT JUDGE

BLOOD HURST & O' REARDON, LLP

CERTIFICATE OF SERVICE

I hereby certify that on September 28, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the Electronic Mail Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on September 28, 2021.

s/ Timothy G. Blood

TIMOTHY G. BLOOD

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